



COMMONWEALTH OF MASSACHUSETTS
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DEPARTMENT OF ENVIRONMENTAL PROTECTION
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Commissioner

THE OFFICE OF APPEALS AND DISPUTE RESOLUTION

In the Matter of Brian Farmer

February 13, 2008
Docket No. 2007- 157
DEP File No. ACOP-NE-06-1V002-STP
Danvers

RECOMMENDED FINAL DECISION – WITHDRAWAL OF CLAIM

The Petitioner Brian Farmer has sent in a letter to the Office of Appeals and Dispute Resolution (“OADR”) requesting that his notice of claim for an adjudicatory hearing be withdrawn. This notice of claim contained a request for hearing on a demand for a stipulated penalty under the Department of Environmental Protection’s (the “Department”) Administrative Consent Order, DEP File No. ACOP-NE-06-1V002-STP. A Petitioner for an adjudicatory hearing may request that his notice of claim be withdrawn at any time. Petitioner’s request is granted, and this proceeding is at an end.

NOTICE- RECOMMENDED FINAL DECISION

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be



appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Laurel A. Mackay
Presiding Officer